



## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 716

[EPA-HQ-OPPT-2023-0360; FRL-13162-02-OCSPP]

RIN 2070-AL43

### Reporting Deadline Extension for the Health and Safety Data Reporting Rule under Toxic Substance Control Act (TSCA) Section 8(d)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is taking final action to extend the reporting deadline for the Health and Safety Data Reporting Rule under the Toxic Substances Control Act (TSCA) by one year to May 21, 2027.

**DATES:** This rule is effective on [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2023-0360, is online at <https://www.regulations.gov>. Additional information about dockets generally, along with instructions for visiting the docket in person, is available at <https://www.epa.gov/dockets>.

**FOR FURTHER INFORMATION CONTACT:** *For Technical Information contact:* Lameka Smith, Chemical Information, Prioritization, and TRI Division (7406M), Office of Pollution Prevention and Toxics, U. S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001; telephone number: (202) 564-1629; email address: [smith.lameka@epa.gov](mailto:smith.lameka@epa.gov).

*For general information contact:* The TSCA Assistance Information Service Hotline, Goodwill Vision Enterprises, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (800) 471-7127 or (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Executive Summary**

#### *A. Does this action apply to me?*

This action may apply to you if you manufactured (including imported) any of the chemical substances listed in 40 CFR 716.120(d) of the regulatory text of this document. The following list of North American Industrial Classification System (NAICS) codes affected by this rule are those that align with these activities:

- Chemical manufacturers (including importers), (NAICS code 325); and
- Petroleum refineries (NAICS code 324110).

This action applies to manufacturers in these NAICS codes who are currently manufacturing (including importing) a listed chemical substance (or will do so during the chemical's reporting period) or who have manufactured (including imported) or proposed to manufacture (including import) a listed chemical substance within the last 10 years.

If you have any questions regarding the applicability of this proposed action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### *B. What action is the Agency taking?*

On March 30, 2026, EPA proposed a rule to extend the reporting deadline to May 21, 2027, for all 16 chemicals covered under this rule (91 FR 15582 (FRL-13162-01-OCSPP)). EPA is finalizing this rule to extend the reporting deadline from May 22, 2026, to May 21, 2027, for the data submission period for the TSCA section 8(d) Health and Safety Data Reporting Rule.

#### *C. What is the Agency's authority for taking this action?*

The Health and Safety Data Reporting rule for 16 listed chemical substances is promulgated under TSCA section 8(d) (15 U.S.C. 2607(d)) and codified at 40 CFR part 716. EPA is relying upon this statutory authority to modify the reporting deadline for the final TSCA section 8(d) rule, which is the same statutory authority relied upon to promulgate the underlying rule.

The statutory provision, along with administrative agencies' authority to reconsider prior regulations, provides EPA's authority for the targeted amendment to the compliance deadline finalized in this action. Unless provided otherwise by statute, an agency may change existing positions (*e.g.*, reconsider, revise, or rescind prior rules) provided they acknowledge the change in position, offer a reasonable explanation for the change, and take any serious reliance interests into account. *See, e.g., FDA v. Wages & White Lion Invs., L.L.C.*, 145 S. Ct. 898, 917 (2025); *Encino Motorcars v. Navarro*, 579 U.S. 211, 221 (2016); *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009); *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29 (1983). As discussed in this preamble, the EPA finds that it is appropriate and consistent with the statute's purposes to extend the reporting deadline by one year. The Agency has considered reliance interests, including those asserted during the public comment period for the proposed rule published on March 30, 2026, to extend the reporting deadline, and determined that this one-year extension is the better course for the reasons set out below.

This final rule is effective immediately upon publication. Section 553(d)(1) of the Administrative Procedure Act, 5 U.S.C. 553(d)(1), provides that final rules shall not become effective until 30 days after publication in the *Federal Register*, with an exception for “a substantive rule [that] grants or recognizes an exemption or relieves a restriction.” The primary purpose of the prescribed 30-day waiting period is to give affected parties a reasonable time to adjust their behavior and prepare before a final rule takes effect. This rule relieves a restriction by extending the reporting deadline by one year. As such, affected parties do not need time to adjust their behavior and it is appropriate for this final rule to go into effect immediately upon publication.

#### *D. Why is the Agency taking this action?*

EPA promulgated a final rule on December 13, 2024 (89 FR 100756 (FRL-11164-02-OCSP)), to require manufacturers (including importers) of 16 specific chemical substances to submit copies and lists of certain unpublished health and safety studies to EPA. The 16 chemical

substances were added to 40 CFR 716.120 to support ongoing and upcoming activities under TSCA section 6. On March 13, 2025, EPA extended the submission deadlines from March 13, 2025, to June 11, 2025, for vinyl chloride (CASRN 75-01-4) and from March 13, 2025, to September 9, 2025, for the remaining 15 chemical substances. *See* 90 FR 11899 (FRL-11164.-02-OCSPP). On June 9, 2025, EPA amended the submission deadlines for all 16 chemical substances subject to the rule to May 22, 2026. EPA published a proposed action on March 30, 2026, to extend the reporting deadline by one year to May 21, 2027. This action will provide EPA with additional time to consider the need for modifications to the substantive TSCA section 8(d) reporting requirements that impact the ability of regulated parties to comply in a manner that provides useful information, ensure that regulated entities have sufficient time to understand reporting obligations, and allow industry adequate time to prepare data submissions.

EPA is considering a proposal to modify the scope of the TSCA section 8(d) Health and Safety Data Reporting Rule, including because of legitimate concerns raised regarding the scope of the rule and obligations arising thereunder and the ability of regulated parties to comply in a cost reasonable manner that provides information that is useful to the purposes underlying the rule. The reporting deadline of May 22, 2026, is insufficient time for EPA to resolve the issues prompting modification to the rule's scope (90 FR 24228 June 9, 2025 (FRL-11164.2-02-OCSPP)). As such, EPA is extending the reporting deadline by one year to May 21, 2027.

EPA is also finalizing this action to extend the reporting period because the Agency has determined additional time is necessary to alleviate the compliance burdens associated with this one-time reporting rule while EPA considers potential modifications to the regulations, including aligning the rule with Executive Order 14219 "Ensuring Lawful Governance and Implementing the President's 'Department of Government Efficiency' Deregulatory Initiative" (90 FR 10583, February 19, 2025) and EPA's Powering the Great American Comeback Initiative Pillar 1: Clean Air, Land, and Water for Every American. Consistent with TSCA section 8(d), EPA is working to ensure that the information collected is necessary to carrying out the relevant statutory

purposes furthered by the rule. Rather than requiring businesses to prepare submissions under a rule that is in the process of being revised, this action provides regulatory certainty and prevents duplicative or potentially inconsistent reporting. Once any substantive revisions to the rule are finalized and published, reporting requirements and updated timelines will be clearly communicated to ensure a smooth and efficient compliance process.

## **II. Response to Public Comments**

EPA received a total of 47 comments on the proposed extension of the TSCA section 8(d) reporting deadline. Of the 47 submissions, 27 were part of a mass campaign of letters submitted primarily by private and anonymous citizens. The remaining 20 submissions represent unique comments, including a submission by a private citizen with 4,901 signatures, 10 individual private and anonymous commenters, five industry trade associations, one state government, three non-government organizations (NGOs), and one NGO submission that included support from 49 groups. Of the total comments received, 37 opposed the proposed extension, seven supported the extension, and three were general or informational submissions that substantively aligned with concerns about delay but did not clearly state a position.

This final rule is limited to the extension of the reporting deadline under the TSCA section 8(d) Health and Safety Data Reporting Rule. The Agency is not responding to comments that raised topics outside the scope of this action. Some commenters raised issues related to general policy views on chemical safety, public health protection, and environmental justice. These issues are outside the scope of this action, which does not reopen or revise the underlying substantive requirements of the Health and Safety Reporting Data rule and are not directly related to the timing of the reporting deadline extension. The comments received on the proposal that are within the scope of this action are summarized and addressed below.

### *A. Comments Supporting the Proposed Extension*

Commenters supporting the proposed one-year extension, primarily representing industry trade associations generally agreed that additional time is needed to allow EPA time to complete

modifications to the scope, guidance, and implementation of the TSCA section 8(d) reporting rule prior to the submission of data currently due May 22, 2026.

Commenters emphasized that extending the deadline would help avoid duplicative or inconsistent reporting obligations, reduce compliance burden, and prevent regulated entities from preparing submissions under a rule that may change. Several commenters noted that companies would incur unnecessary costs and effort if required to submit data under requirements that are under modification. Supportive commenters further stated that the extension would allow EPA time to finalize updated guidance and provide clearer implementation expectations, thereby improving overall regulatory efficiency and consistency.

#### *B. EPA Response to Supporting Comments*

EPA acknowledges commenters' support for the proposed extension and their concerns regarding potential duplicative reporting, administrative burden, and uncertainty while the rule is under modification. EPA agrees extending the reporting deadline is necessary while EPA considers modifications to the underlying TSCA section 8(d) rule and, if modifications are implemented, to ensure that companies understand any new requirements prior to the reporting deadline.

#### *C. Comments Opposing the Proposed Extension*

Opposing commenters included private citizens submitting campaign letters, anonymous commenters, members of academia, state government representatives, and environmental advocacy organizations. Overall, these commenters expressed concern that extending the reporting deadline from May 22, 2026, to May 21, 2027, would postpone submissions of health and safety data needed for EPA's TSCA section 6 prioritization, risk evaluation, and risk management actions. Many commenters expressed concern that delayed submission of unpublished health and safety studies could result in risk evaluations being conducted using incomplete or less current datasets, potentially affecting the completeness of EPA's regulatory determinations for the 16 chemical substances covered by the rule. Several commenters stated

that delaying reporting increases the risk that unpublished studies may be lost or discarded due to routine corporate record retention practices, reducing the availability of information needed for EPA's administrative record. A state government commenter indicated that delays in federal data collection may affect coordination with state-level chemical safety programs and could delay downstream regulatory actions that rely on EPA-generated information. Many campaign letters from private citizens reiterated concerns about environmental justice and the need for timely access to chemical safety information to support EPA's science-based decision-making. A coalition of environmental organizations raised concerns regarding the administrative and legal implications of extending the reporting deadline, including assertions that repeated extensions may delay statutory obligations and reduce transparency in the regulatory process.

#### *D. EPA Response to Opposing Comments*

EPA acknowledges commenters' concerns that extending the reporting deadline could delay the availability of health and safety data, affect TSCA section 6 risk evaluation activities, and reduce transparency. EPA disagrees that the one-year extension undermines statutory obligations or the Agency's ability to rely on the best available science. The extension is an action that allows EPA to propose and finalize modifications of the scope of the TSCA section 8(d) reporting rule, including valid concerns raised regarding the rule that impact regulated parties' ability to comply and the Agency's ability to receive useful information, and enables submitters additional time to provide complete and accurate information aligned with any updated requirements. This approach supports EPA's authority to reconsider the scope of data necessary for submission under TSCA section 8(d) collections for potential use in TSCA section 6 risk evaluation and risk management actions. This action does not alter EPA's ongoing use of existing or otherwise reasonably available information in support of TSCA section 6 activities. EPA notes that TSCA section 8(d) authorizes EPA to require submissions of unpublished health and safety studies "at such times and in such manner as the Administrator may reasonably prescribe" (15 U.S.C 2607(d)). This authority provides EPA discretion to establish and adjust

reporting period deadlines as necessary to ensure effective implementation of information collection requirements. Adjusting the reporting deadline does not suspend statutory obligations but ensures that reporting requirements are implemented consistently with TSCA's risk-based framework and produce information that is relevant and usable for the Agency's statutory responsibilities. Also, this action affects only the timing of submissions for this data call and does not delay or suspend EPA's prioritization, risk evaluation, or risk management activities, which continue to proceed using the best available data sources and science, as required by TSCA section 26. EPA does not expect the extension to result in loss of relevant data, as entities remain subject to applicable recordkeeping requirements, and EPA retains authority to obtain information as needed to support ongoing risk evaluations. EPA considered potential impacts of the extension on TSCA section 6 risk evaluation activities and determined that receiving TSCA section 8(d) data by May 2027 will provide EPA sufficient time to incorporate information into the risk evaluations for the chemical substances covered by the rule. It is generally unexpected that any information received pursuant to TSCA section 8(d) will materially alter the ongoing work or outcomes of prioritization or risk evaluation or that any delay due to this extension will require rework that would delay any related TSCA section 6 activities. Commenters' broader concerns regarding TSCA section 6 considerations and issues related to Executive Branch policies or other rulemakings are outside the scope of this action. This rulemaking is limited to consideration of whether to extend the reporting deadline.

A state government commenter indicated that delays in federal data collection may affect coordination with state-level chemical safety programs and could delay downstream regulatory actions that rely on EPA-generated information. The Agency appreciates that non-EPA entities—such as other federal agencies, states, and nongovernmental organizations—may rely on and derive benefits from TSCA section 8(d) information. However, EPA understands that these entities are not entirely reliant on this data (that is, this information supplements other information used by these other entities rather than serving as a uniquely critical source of

information), and EPA anticipates making non-confidential information publicly available following the submission of information pursuant to this rule. To this end, EPA is seeking to expedite the posting of information received pursuant to TSCA section 8(d) to minimize delays between receipt and public dissemination of nonconfidential submissions.

Further, EPA does not expect the deadline extension to alter state reliance on EPA-generated information because this action only extends the timing of the reporting and does not change the scope of the information collected, TSCA authorities, or existing mechanisms through which the state accesses and uses EPA data. Overall, EPA has determined that the extension appropriately balances the need for timely data collection with the considerations associated with ongoing rule modifications and will help ensure that submitted information is complete, relevant, and usable to support the Agency's statutory responsibilities under TSCA.

### **III. Summary of the Final Rule**

EPA has determined that a one-year extension of the reporting deadline for the Health and Safety Data Reporting Rule under TSCA section 8(d) is appropriate. Accordingly, EPA is finalizing this action to extend the reporting deadline to May 21, 2027. This action is effective upon publication in the *Federal Register*.

### **IV. Statutory and Executive Order Reviews**

Additional information about these statutes and Executive Orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

*A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulations and Regulatory Review*

This action is not a significant regulatory action and was therefore not submitted to the Office of Management and Budget (OMB) for review.

*B. Executive Order 14192: Unleashing Prosperity Through Deregulation*

This action is an Executive Order 14192 deregulatory action. This final rule provides burden reduction by providing relief against existing compliance deadlines.

### *C. Paperwork Reduction Act (PRA)*

This action does not impose any new information collection burden under the PRA, 44 U.S.C. 3501 *et seq.* OMB has previously approved the information collection activity contained in the existing regulation and has assigned OMB control number 2070-0224 (EPA ICR No. 2703.02). This action does not create any new reporting or recordkeeping obligations and does not otherwise change the burden estimates that were approved.

### *D. Regulatory Flexibility Act (RFA)*

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA, 5 U.S.C. 601 *et seq.* In making this determination, the EPA concludes that the impact of concern for this rule is any significant adverse economic impact on small entities and that the agency is certifying that this rule will not have a significant economic impact on a substantial number of small entities because the rule relieves regulatory burden on the small entities subject to the rule. This final action will extend compliance dates of one data reporting rule and alleviate compliance burden on small entities subject to those actions. We have therefore concluded that this action will relieve regulatory burden for all directly regulated small entities.

### *E. Unfunded Mandates Reform Act (UMRA)*

This action does not contain any unfunded mandate of \$100 million (adjusted annually for inflation) or more (in 1995 dollars) as described in UMRA, 2 U.S.C. 1531-1538, and does not significantly or uniquely affect small governments. This final action imposes no enforceable duty on any state, local, or tribal governments or the private sector.

### *F. Executive Order 13132: Federalism*

This action does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999) because it will not have substantial direct effects on the States, on the relationship between the national government and the States or on the distribution of power and responsibilities among the various levels of government.

*G. Executive Orders 13175: Consultation and Coordination with Indian Tribal Governments*

This action does not have tribal implications as specified in Executive Order 13175 (65 FR 67249, November 9, 2000) because it will not have substantial direct effects on tribal governments, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. This action does not impose substantial direct compliance costs on federally recognized Indian tribal governments. Thus, Executive Order 13175 does not apply to this action.

*H. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks*

Although this action does not concern an environmental health or safety risk, the information obtained from the reporting required by this rule will be used to inform the Agency's decision-making process regarding chemical substances to which children may be exposed. This information will also assist the Agency and others in determining whether the chemical substances included in this proposed rule present potential risks, allowing the Agency and others to take appropriate action to investigate and mitigate those risks.

EPA interprets Executive Order 13045 (62 FR 19885, April 23, 1997) as applying only to those regulatory actions significant under section 3(f)(1) of Executive Order 12866 and that concern environmental health or safety risks that EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2-202 of Executive Order 13045.

Since this is not a “covered regulatory action,” E.O. 13045 does not apply. However, the Policy on Children's Health does apply.

*I. Executive Order 13211: Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use*

This action is not subject to Executive Order 13211 (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

*J. National Technology Transfer and Advancement Act (NTTAA)*

This action does not involve technical standards under the NTTAA section 12(d), 15 U.S.C. 272.

*K. Congressional Review Act (CRA)*

This action is subject to the CRA, 5 U.S.C. 801 et seq., and EPA will submit a rule report to each House of the Congress and to the Comptroller General of the United States. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 716**

Environmental protection, Chemicals, Hazardous substances, Health and safety, Reporting and recordkeeping requirements.

**Lee Zeldin,**

*Administrator.*

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR 716 as follows:

**PART 716—HEALTH AND SAFETY DATA REPORTING**

1. The authority citation for part 716 continues to read as follows:

**Authority:**15 U.S.C. 2607(d).

2. Amend § 716.120 in table 3 to paragraph (d), under the heading “OPPT 2024 Chemicals”, by revising the entries for “Acetaldehyde”, “Acrylonitrile”, “2-anilino-5-[(4-methylpentan-2-yl)amino]cyclohexa-2,5-diene-1,4-dione (6PPD-quinone)”, “Benzenamine”, “Benzene”, “Bisphenol A”, “Ethylbenzene”, “Hydrogen fluoride”, “4,4-Methylene bis(2-chloraniline)”, “N-(1,3-Dimethylbutyl)-N’-phenyl-p-phenylenediamine (6PPD)”, “Naphthalene”, “Styrene”, “4-tert-octylphenol(4-(1,1,3,3-Tetramethylbutyl)-phenol)”, “Tribromomethane (Bromoform)”, “Triglycidyl isocyanurate”; and “Vinyl Chloride.”

The revisions read as follows:

**§ 716.120 Substances and listed mixtures to which this subpart applies.**

\* \* \* \* \*

(d) \* \* \*

**Table 3 to Paragraph (d)**

Category	CAS No.	Special exemptions	Effective date	Sunset date
* * * * *				
<b>OPPT 2024 Chemicals:</b>				
Acetaldehyde	75-07-0	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Acrylonitrile	107-13-1	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
2-anilino-5-[(4-methylpentan-2-yl)amino]cyclohexa-2,5-diene-1,4-dione (6PPD-quinone)	2754428-18-5	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Benzenamine	62-53-3	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027

Benzene	71-43-2	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Bisphenol A	80-05-7	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Ethylbenzene	100-41-4	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Hydrogen fluoride	7664-39-3	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
4,4-Methylene bis(2-chloraniline)	101-14-4	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
N-(1,3-Dimethylbutyl)-N'-phenyl-p-phenylenediamine (6PPD)	793-24-8	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Naphthalene	91-20-3	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Styrene	100-42-5	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
4-tert-octylphenol(4-(1,1,3,3-Tetramethylbutyl)-phenol)	140-66-9	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Tribromomethane (Bromoform)	75-25-2	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Triglycidyl isocyanurate	2451-62-9	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
Vinyl chloride	75-01-4	§ 716.21(a)(11) applies; § 716.20(a)(9) does not apply	January 13, 2025	May 21, 2027
* * * * *				